IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF NORTH CARDUNA WESTERN DIVISION NO. 5:09-CT-3063-FL

JONATHAN EUGENE BRUNSON	a ·
PLAINTFF	
V	PLAINTIFFS MEMORANOVM
	OF LAN IN OBJECTION
NORTH CAROLINA DEPARTMENT	TO THE ORDER OF THE
of social services, etal	U,S, MAGISTRATE JUDGE
DEFENDANTS	

STATEMENT OF CAUSE

PLAINTIFF, JUNATHAN E, BRUNSON, HEREBY SUBMIT A MEMORANDUM OF LAW IN OBJECTION TO PART OF AN ORDER ENTERED BY THE MAGISTRATE JUDGE ON APRIL 24, 2013.

THE ORDER GRANTED PLAINTIFFS MOTION TO COMPEL, BUT THE MAGISTRATE INCORRECTLY 1DENTIFIED THE TYPE OF EVIDENCE REPORT COMPELLED BY PLAINTIFF FOR IN-CAMERA INSPECTION.

SPECIFICALLY, IN NUMBER SIX OF SIX PRIVILEGED DOCUMENTS. THE MAGISTRATE INCORRECTLY COMPELLED "THE EVIDENCE REPORT MADE BY THE DEPARTMENT OF SOCIAL SERVICES REQUIRED BY N.C.G.S. & 78-307," THE CORRECTION 15;

THE EVIDENCE REPORT RECEIVED BY DSS AS REQUIRED BY N.C.G.S. & 78-307—THAT TRIGGERED DSS DIRECTOR CASE 5:09-ct-03063-FL DOCUMENT 135-1 Filed 05/08/13 Page 1 of 21

ZIMMERMAN'S DUTY TO REPORT EVIDENCE OF ABUSE PURSUANT TO NIC.GIS, & 78-307. THE MAGISTRATE WORDING CAN EASILY CONFUSE THE EVIDENCE REPORT WITH THE DSS BIRECTORS SUBSEQUENT WRITTSN REPORT TO GRANNIS AND BUTLER PURSUANT TO 6.5.78-307. THESE REPORTS ARE TWO ENTIRELY DIFFERENT REPORTS. THE EVIDENCE REPORT REGUESTED BY PLAINTIFF IS WHAT TRIGGERS THE DIRECTORS DUTY TO REPORT PURSUANT TO 6.5, 76-307 RESULTING IN THE DIRECTOR MAKING AN IMMEDIATE ORAL AND SUBSZOWENT WRITTEN REPORT TO GRANNIS AND BUTLER PURSUANT TO G.S. 78-307, THEREFORE, DSS DIRECTOR ZIMMERIAN 15 NOT AUTHORIZED TO TRIGGER GIS, 78-307 DIRECTURS DUTY TO REPORT EVIDENCE OF ABUSE OR IS NOT AUTHORIZED TO MAKE AN IMMEDIATE ORAL AND SUBSEQUENT WRITTEN REPORT TO GRANNIS. AND BUTLER PURSUANT TO 6.5, 78-307 WITHOUT HAVING FIRST RECEIVED AN EVIDENCE REPORT AS REQUIRED BY 6,5,78-307. IN THE LIKELY EVENT, HOWEVER, THAT DIRECTOR ZIMMERMAN DID IN FACT TRIGGER 6,5,78-307 DSS DIRECTURS DUTY TO REPORT EVIDENCE OF ABUSE BY MAKING AN IMMEDIATE ORAL AND SUBSEQUENT WRITTEN REPORT TO GRANNIS AND BUTTER WITHOUT HAVING RECEIVED AN EVIDENCE REPORT AS REQUIRED BY G. S. 73-307 THEN IT SHALL MANIFEST (1) DIRECTOR ZIMMERMAN DID NOT HAVE A DUTY TO REPORT JUVENILE ABUSE PURSUANT TO 6,5,78-307 AND (2) DIRECTOR ZIMMERMAN FABRICATED BOTH AN IMMEDIATE ORAL REPORT AND SUBSEQUENT WRITTEN REPORT TO GRANNIS AND BUTTER ON MAY 1, 2008

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PURSUANT TO G.S. 7B-307.

THE ORDER ALSO DENIED IN-PART PLAINTIFFS MOTION FOR
LEAVE TO AMENING THE COMPLAINT TO INCLUDE (1) DEFENDANTS
GRANNIS, SMITH, AND COX ON THE GROUND OF PROSECUTORIAL
IMMUNITY; (2) DEFENDANTS FRANKS AND APPLEWHITE ON THE
GROUND OF JUDICIAL IMMUNITY, AND (3) DEFENDANTS PRIEST,
PRAVEY, AND PERRY ON THE GROUND OF QUASI-J UDICIAL
IMMUNITY.

STATEMENT OF FACTS

ON FEBRUARY 8, 2008 DSS DIMECTUR ZIMMERMAN IN ITLATED A
DSS INVESTIGATION PURSUANT TO 6.5.7B-302 ASSESSMENT BY DSS
DIRECTUR, ZIMMERMAN ASSIGNED THE CASE TO GOUDE-EATMON
AND NUNNERY TO INVESTIGATE,

ON FEBRUARY II, 2008 ZIMMERMAN BEGAN TO CONSULT WITH SHERIFF BUTTER WHO ASSIGNED DETECTIVE HAMMTON TO ASSIST GOODE EATMON AND NUNNERY IN THE DSS INVESTIGATION PURSUANT TO 65, 78-302(e).

ON MARCH 17, 2008 THE JUVENILE CHANGED IN LEGAL STATUS
BY TURNING AGE 18 AT WHICH TIME THE DSS JURIS DICTION

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PURSUANT TO 65.7B-200 TERMINATED PURSUANT TO 6.5.7B-201 REPENTION OF JURISDICTION AT WHICH TIME THE DSS CASE CLOSED EFFECTIVE MANCH 17, 2008. CONSEQUENTLY THE OSS CASE CLOSED ON MARCH 17, 2008 WITHOUT RECEIVING AN EVIDENCE REPORT AS REQUIRED BY 65, 73-307 AND THEREFORE DSS DIRECTUR ZIMMERMAN DID NOT HAVE A DUTY TO MAKE AN IMMEDIATE ONAL AND SUBSEQUENT WRITTEN REPORT TO D.A. GRANNIS AND SHEAFF BUTTER PURSUANT TO 65,78-307. THE DSS CASE CLOSED ON MARCH 17, 2008 WITHOUT ZIMMERMAN MAKING A REPURTO GRANNIS AND THENFFORE GRANNIS DID NOT DETERMINE THAT A CRIMWAL PROSECUTION OF PLAINTIFF WAS APPROPRIATE PURSUANT TO 65.73-307. AT THIS JUNCTURE, HOWEVERY BUTTER AND HAMNITUN BELAN TO LEAD AN INDERNIDENT POLICE INVESTIGATION WITH THE ASSISTANCE OF ZIMMERNAM, GOUDE CATMON, AND NUNNELY, AND UNDER THE DIRECT ADVICE OF GRANNIS, ALSO, AT THIS JUNCTURE, THEY ALL KNEW THAT DSS NO LONGER HAD JURISDICTUR OVER ANT JUVENILES PURSUANT TOGIS, 718-200 AND THEY ALL KNEW DSS DIO NOT RECEIVE AN EVIDENCE REPORT AS REQUIRED BY 65,78-307 AND THEREFORE, THEY ALL KNEW THAT DSS COULD NOT LAW FULLY TRIGGER G.S. 79-307 DSS DIRECTURS DUTY TO REPORT EVIDENCE OF JUVENILE ABUSE OR COULD NOT LAWFULLY MAKE AN IMEMEDIATE ONAL AND SUBSEQUENT WRITTEN REPORT TO GRANNIS AND BUTTER PURSUANT TO 65,73-307 WITHOUT FIRST RECEIVING AN EVIDENCE REPORT AS REQUIRED BY 6,5,78-307

ON MAY 1, 2008, GRANNIS, BUTTER, HOMITON, AND ZIMMERMAN Case 5:09-ct-03063-FL Document 135-1 Filed 05/08/13 Page 4 of 21

PROCURED SOCIAL WORKERS NUNNERY, GOODE-EATMON, MELISSA GRIMES-GOODEN, ALCEEDA RICHMOND, BETH RUPP, LATONYA HALL-ROSS, KIMBERLY KOCH, DENISE MONTGOMERY, AND ALFRED SPAIN TO CONSPIRE AND SCHEME TO FABRICATE EVIDENCE ABAINST PLANNIF. IN DOING SO, NUNNERY STAFFED A CLOSED DSS CASE WITH A NON-CERTIFIED FORENSIC STAFFING TEAM COMPRISING THE EIGHT AFORESPATED SOCIAL WORKERS, INCLUDING GOODE-CATMON, MARKETA IM POSTURING AND IMPERSONATING FORENSIC EXPERTS IN ORDER TO MAKE A JOINT CASE DECISION THAT FALSELY SUBSTANTIATED JUVENILE SEXUAL ABUSE AGAINST PLAIN OFF WITHOUT JURISDICTION OVER ANY JUVENILES PURSUANT TO 6.5.78-200 AND WITHOUT RECEIVING AN EVIDENCE REPORT AS REQUIRED BY 6,5,78-307, THEREFURE, GRANNS, BUTLER, HAMILTON, ZIMMERMAN, GOUDE-EATMON, NUNNERY, AND SOCIAL WORKERS ALL KNEW THAT DSS DID NOT HAVE JUNISDICTION OVER ANY J WENTLES PURSUANT TO 6.5, 78-200 AND THEY ALL KNEW THAT DSS DID NOT RECEIVE AN EVIDENCE REPORT AS REQUIRED BY GS. 75-307 TO SUPPORT THE JOINT CASE DECISION THAT SUBSTANTIATED JUVENILE SEXUAL ABUSE AGAINST PLAINTIPP. THEREFORE, GRANNIS, BUTLER, HAMILTON, ZIMMERMAN, GOUDE EATMON, NUNNVERY, AND SOCIAL WONKERS' KNOWING AND INTENTIONAL ACCEPTANCE OF A FABRICATED DSS CASE DECISION WITHOUT JURISDICTION OVER ANY JUVENILES PURSUANT tO 6,5,79-200 AND WITHOUT RECEIVING AN EVIDENCE REPORT AS REQUIRED BY 6.5, 78-307 CONSTITUTED GRANNIS, BUTTER, HAMILTUN, ZIMMERMAN, GOUDE-EATMON, NUNNERY AND SOCIAL WORKERS Case 5:09-ct-03063-FL Document 135-1 Filed 05/08/13 Page 5 of 21

AGAINST PLAINTIFF.

- NEXT-

ON MAY 1, 2008, GRANNIS, BUTLER, HAMILTUN, ZIMMERMAN, AND GOODE-EATMON PROCURED NUNNERY TO CONSPIRE AND SCHEME TO FABRICATE EVIDENCE AGAINST PLAINTIFF, IN DOING SO, NUNNERY MADE AN IMMEDIATE DRAL REPORT TO GRANNIS AND BUTLER punsuant to 65.7B-307 WITHOUT JURISDICTION OVER ANY JUVENILES PURSUANT TO 6,5, 78-200 AND WITHOUT RECEIVING AN EVIDENCE REPORT AS REQUIRED BY GG, 78-307 TO SUPPORT AND/OR TRIGGER AN IMMEDIAGE GRAL REPORT TO GRANNIS AND BUTTER PURSUANT TO G.S. 7B-307. THEREFORE, GRANNIS, BUTLER, HAMILTON, ZIMMERMON, GOUDE-EATMUN, AND NUNNERY ALL KNEW THAT DSS DID NOT HAVE JURISDICTION OVER ANY JUVENILES PURSUANT TO GS. 78-200 AND THEY ALLKNEW THAT DSS DID NOT RECEIVE AN EVIDENCE REPORT AS REQUIRED BY 6.5.78-307 TO SUPPORT AND ON TRIGGER AN IMMEDIATE ORAL REPORT TO GRANNIS AND BUTTER PURSUANT to 6,5,78-307. THEREFORE, GRANNIS, BUTTER, HAMILTON, ZIMMKAMAN, GOODE-EATMON, AND NUNNERY'S 'KNOWING AND INTENTIONAL ACCEPTANCE OF NUNNERYS FABRICAGED IMMEDIATED IMMEDIATE REPURT TO GRANNIS AND BUTISH PURSUANT TO 6.5, 78-307 WITHOUT JUMSPICTION OVER ANY JUVENIUES PURSUANT TO GS.7B-200 AND WITHOUT RECEIVING AN EVIDANCE REPORT AS REQUIRED BY 6,5,78-307 TO EVEN SUPPORT Case 5:09-ct-03063-FL Document 135-1 Filed 05/08/13 Page 6 of 21

BUTLER CONSTITUTED GRANNIS, BUTLER, HAMILTON, ZIMMERMA, GOUDE-EATTMON, AND NUNNERTS AGREEMENT TO CONSPIRE AND SCHEME TO FABRICATE EVIDENCE ABBINST PLAINTIFF.

- NEXT-

ON MAY 1, 2008, GRANNIS, BUTTER, HAMILTON, ZIMMERMAN, AND GOUDE-EATMON PROCURED NUNNERY TO CONSPIRE AND SCHEME TO FABRICAR EVIDENCE AGAMST PLAINTHE. IN DUING SU, NUNNERY MADE A SUBSEQUENT WRITTEN REPORT TO GRANNIS AND BUTTER PURSUANT TO 6.5. 78-307 WITHOUT JUNISDICTION OVER ANY JUNEAULES PURSUANT TO 6.5, 7B-200 AND WITHOUT RECEIVING AN EVIDENCE REPORT AS REQUIRED BY G.S. 78-307 TO SUPPORT AND OR TRIGGER 4 SUBSEQUENT WRITTEN REPORT TO GRANMS AND BUTTER PURSUANT to G.S. 7B-307. THEREFORE, GRANNIS, BUTTER, HAMILTON, ZIMMER-MAN, GOUDE-GATMON, AND NUNNEIRY ALL KNEW THAT DSS DID NOT HAVE JURISDICTION OVER ANY JUNGWILES PURSUANT TO G.S. 78-200 AND THEY ALL KNEW THAT DSS DID NOT RECEIVE AN EVIDENCE REPORT AS REQUIRED BY 65, 78-307 TO SUPPORT AND/OR TRIGGER 4 SUBSEQUENT WRITTH REPORT TO GRANNIS AND BUTTER PURSUANT TO 65,78-307. THEREFORE, BRANNIS, BUTLER, HAMILTON, ZIMMERMAN, GOUDE-EATMON, AND NUNNERT'S KNOWING AND INTENTIONAL ACCEPTANCE OF NUNNERT'S FABRICARD SUBSEQUENT WRITTEN REPORT to GRANNIS AND BUTLER PURSUANT TO 65, 78-307 Case 5:09-ct-03063-FL Document 135-1 Filed 05/08/13 Page 7 of 21

AND WITHOUT RECEIVING AN EVIDENCE REPORT AS REQUIRED BY GIS, 7B-307 TO EVEN SUPPORT OR TRIGGER A SUBSEQUENT WRITTEN REPORT TO GRANNIS AND BUTTER PURSUANT TO CONSTITUTED GRANNIS, BUTTER, HAMILTON, ZIMMSRMAN, 600DE-EATMON, AND NUNNERLY'S AGREEMENT TO CONSPIRE AND SCHEME TO FABRICATS EVIDENCE AGAINST PLAINTIFF.

- NEXT-

ON AVGUST 15, 2008, GRAMMS, BUTTER, HAMILTON, ZIMMSNAMN, GOUR-GARMUN, AND NUNDERY PROCURED JUDGE FRANKS AND CLERK OF COUNT DERRY TO CONSPIRE AND SCHEME TO FABRICATE EVIDENCE AGAINST PLAINTIFF, IN DOING SO, HAMILTUN & INSTRUCTED PERRY TO GET AN EXPARTE DOMESTIC VIOLENCE ORDER OF PROTECTION FROM FRANKS WITHOUT EXIGENT CIRCUMSTANCES IN ORDER TO FABRICATE DURISDICTION OVER A JUVENILE PURSUANT TO 65.78-200 AND FABRICATE A FINDING OF EVIDENCE PURSUANT TO 65.78-307. IN CHAMBERS, PERRY GAVE JUDGE FRANKS A PARTIALLY COMPLETED EXPARTE DOMESTIC VIOLENE ORDER OF PRUTECTION DOCUMENTS. JUDGE FRANKS THEN KNOWINGLY AND INTENTIONALLY FILLED IN THE BLANKS WITH FALSE INFORMATION THAT ON AUGUST 14, 2008 PLAINTIFF COMMITTED IST DEGIZES RAPE, 15T DEGREE SEXUAL OFFENSE, AND SEXUAL BATTERY AGAINST HIS TWO MINOR BIOLOGICAL DAUGHTANS AND ONE LEGAT ADULT STEPDAUGHTER FALSIFIED AS A MINOR. FRANKS THEN Case 5:09-ct-03063-FL Document 135-1 Filed 05/08/13 Page 8 of 21

KNOWINGLY AND INTENTIONALLY GAVE THE EXPANTE DOMESTIL VIULINGE ORDER OF PROTECTION BACK TO PERRY COMPLETED AND SIGNED AND INSTRUCTED HER TO FILE IT WITH THE CLERK OF COURT. PERRY THEN READS THE EXPARTE DOMESTIC VIOLENCE ORDER OF PROTECTION AND REALIZED THAT JUDGE FRANKS HAD FILLED IN FALSE IN FOR-MATION. FRANKS THEN REALIZED THAT PERRY REALIZED THAT HE HAD FILLED IN FALSE INFORMATION. PERRY THEN REALIZED THAT JUDGE FRANKS THEN REALIZED THAT SHE REALIZED THAT HE HAD FILLED IN FALSE INFORMATION, FRANKS AND PERRY THEN BOTH REALIZED THAT PERRY REALIZED THAT HE HAD FILLED IN FALSE INFORMATION. FRANKS ALSO THE EXPANTE DOCUMENT WAS FALSE WHEN HE TOLD PERRY TO FILE IT WITH THE CLERK OF COURT. PERRY ALSO REALIZED THE EXPANTE DOCUMENT WAS FALSE WHEN FRANKS TO LO HER TO FILE IT WITH THE CLERK OF COURT, FRANKS ALSO REALIZED THAT PERRY REALIZED THE EXPARTE DOCUMENT WAS FALSE WHEN HE TOLD HER TO FILE IT WITH THE CLERK OF COURT. PERRY ALSO REALIZED THAT FRANKS REALIZED THE EXPARTE DOWNSN'T WAS FALSE WHEN HE TOLD HER TO FILE IT WITH THE CLERK OF COUNT. FRANKS AND PERMY ALSO BOTH REALIZED THE EXPARTE DOCUMENT WAS FAUSE WHEN HE TOLD HER TO FILE IT WITH THE CLERK OF COURT, FRANKS WED KNEW THE EXPARTE DOCUMENT WAS FALSE BEFORE PERRY LEFT CHAMBERS TO FILE IT WHITH THE CLERK OF COUNT, PERRY KNEW THE EXPANTS DOCUMENT WAS FAISE BEFORE SHE LEFT CHAMBERS TO FILE IT WITH THE CLERK OF COURT. FRANKS Case 5:09-ct-03063-FL Document 135-1 Filed 05/08/13 Page 9 of 21

BEFORE SHE LEFT CHAMBERS TO FILE IT WITH THE CLERK OF COURT. PERRY KNEW THAT FRANKS KNEW THE SEXPANTE DOCUMENT WAS FALSE BEFORE SHE LEFT CHAMBERS TO FILE IT WITH THE CLERK OF COURT. FRANKS AND PERRY BOTH KNEW THE EXPANSE DOCUMENT WAS FALSE BEFORE SHE LEFT CHAMBERS TO FILE IT WITH THE CLERK OF COURT, FRANKS ALSO KNEW THE EXPANTE DOCUMENT WAS FALSE WHEN PERRY FILED IT WITH THE CLERK OF COURT. PERRY ALSO KNEW THE EXPANTE DOCUMENT WAS FALSE WHEN SHE FILED IT WITH THE CLERK OF COURT. FRANKS ALSO KNEW THAT PERRY KNEW THE EXPANTE DOCUMENT WAS FALSE WHEN SHE FILED IT WITH THE CLERK OF COURT, PERRY ALSO KNEW THAT FRANKS KNEW THE EXPANSE DOCUMENTWAS FALSE WHEN SHE FIGO IT WITH THE CLERK OF COURT. FRANKS AND PERRY ALSO BOTH KNEW THAT THEY BOTH KNEW THAT THE EXPART DOCUMENT WAS FALSE WHEN PERRY FILED IT WITH THE CLERK OF COURT. THEREFORE, GRANNIS, BUTTER, ZIMMERMAN, HAMILTON, GOUDESATMON, NUNNERY, PERRY, AND FRANKS ALL KNEW THAT DSS DID NOT HAVE JURISDICTION OVER ANY JUVENILES PURSUANTTO G. S. 7B- 200 AND DIO NOT RECEIVE AN EVIDENCE REPORT AS REQUIRED BY 6.5.78-307 TO SUPPORT AND OR TRIBGER THE ISSUE OF EXPANTE DOMESTIC VICUSNICE ONDER OF PROTECTION OCCUDESSS. THENEFORE, GRANNIS, BUTER, ZIMMERMAN, HAMMITUN, GOUDE-EARMON, NUNNERY, PERRY, AND FRANKS KNOWING AND INTENTIONAL ACCEPTANCE OF JUDGE FRANKS FABRICATED EXPARTE ORDER OF CV 08358 WITHOUT JUNISHICTUM OVER ANY JUVANILES PUNSUANT TO 65, 78-200 AND WITHOUT Case 5:09-ct-03063-FL Document 135-1 Filed 05/08/13 Page 10 of 21

RECEIVING AN EVIDENCE REPORT AS REQUIRED BY 6,5,78-307 TO SUPPORT AND/OR TRIGGER THE ISSUE OF AN EXPARTE DOMESTIC VIOLENCE ORDER OF PROTECTION CONSTITUTES GRANNIS, BUTLER, ZIMMERMAN, HAMIUTUN, GOUDE-EATMON, NUNNERY, PERRY, AND FRANKS AGREEMENT TO CONSPIRE AND SCHEME TO FABRICATE EVIDENCE AGAINST PLAINTIFF. SUPPORTING FACTS: PERRY TESTIFIED AT PLAINTIPE'S STATE CRIMINAL TRIAL THAT HAMILTON TOLD HERE TO GET THE ORDER; HAMILTUN TESTIFIED AT PLAINTIFF STATE CRIMINAL TRIAL THAT SHE TOLD PENRY TO GET AN # EXPANTE ORDER; PENRY AND HAMILTUN BUTH TESTIFIED AT PLAINTIFFS STATE CRIMINAL TRIAL THAT THEY DID NOTGIVE JUDGE FRANKS THE FALSE INFORMATION THAT ON AUGUST 14, 2008 PLAINTIFF COMMITTED IST DEGNEE RAPE, IST DEGNEE SEXUM OFFENSE, AND SEXUM BATTRZY AGAINST HIS TWO MINOR BIOLOGICAL DAUGHTERS AND ONE LEGAL ADULT STROBANGHTER, JUDGE FRANKS INDICATED IN HIS FINDINGS IN EXPARTS ORDER DECVOESSE THAT LEO (LAW ENFUREEMENT OFFICER) TOLD PERRY TO GET EXPARTE ORDER.

- NEXT-

and .

ON SEPTEMBER 8, 2008, GRANNIS, BUTTER, ZIMMERMAN, HAMILTON,
6000E-EXTMON, NUNNELY, PERRY, AND FRANKS PROCURED
MAGISTRATE APPLEWHITE AND HAMILTON TO CONSPIRE AND
SCHEME TO FABRICATE EVIDENCE AGAINST PLAINTIFF, IN DOING
SO, GRANNIS REQUESTED HAMILTON TO APPEAR BEFORE APPLEWHITE
TO GET ARREST WARRANTS PURSUANT TO 65,78-307 WITHOUT
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JURISDICTION OVER ANY JUVENILES PURSUANT TO GIS. 73-200 AND WITHOUT RECEIVING AN EVIDENCE REPORT AS REQUIRED BY 6,578-307 TO SUPPORT AND/OR TRIGGER GRANNIS TO REQUEST HAMILTON TO APPEAR BEFORE MAGISTLATE APPLEWHITE FOR ARREST WARRANTS PURSUANT TO 6.5.78-307. THEREFORE, GRANNIS, BUTTER, ZIMMERMAN, HAMMEN, GOODE-EATMON, NUNNERY, PERRY, FRANKS, AND APPLEWHITE ALL KNEW THAT DSS DID NOT HAVE JUNISDICTION OVER ANY JUVENILES PURSUANT TO 65, 78-200 AND THEY ALL KNEW THAT DSS DID NOT RECEIVE AN EVIDENCE REPORT AS REQUIRED BY 6.5 78-307 TO SUPPORT AND/OR TRIGGER GRANNIS TO REQUEST HAMILTON TO APPEAR BEFORE MAGISTRAR APPLEWHITE FOR ARREST WARRANTS PURSUANT TO GS.718-307. THEREFORE, GRANNS, BUTLER, ZIMMERMAN, HAMILTON, GOODE-EATMON, NUNNERY, PERRY, FRANKS, AND APPLEWHITE'S KNOWING AND INTENTIONAL ACCEPTANCE OF HAMILTON AND APPLEWHITE'S FABRICATED ARREST WALRANTS OBCRS63535-46 WITHOUT JURISDICTION OVER ANY JUVENILES PURSUANT TO 65. 79-200 AND WITHOUT RECEIVING AN EVIDENCE REPORT AS REQUIRED BY 6.5, 78-307 TO SUPPORT AND/OR TRIGGER GRANNIS TO REQUEST HAMILTON TO APPEAR BEFORE MAGISTRATE FOR ARREST WARRANTS PURSUANT TO 6.5, 7B-307 CONSTITUTED GRANNIS, BUTLER, ZIMMERMAN, HAMILTON, 6000E-EARMON, NUNNERY, PERRY, FRANKS, AND APPLEWHITES AGREEMENT TO CONSPIRE AND SCHEME TO FABRICATE EXIDENCE ABAINST PLAIMIFF.

ON MARCH 23, 2009 AND JULY 6, 2009, GRANNIS, BUTLER, ZIMMEMAN, HAMMTON, GOODE-EATMON, NUNNERY, PERRY, FRANKS, AND APPLEWHITE PROCURSO SMITH, HAMILTON, AND GUEDALIA TO CONSPING AND SCARME TO FABRICARS EVIDENCE AGAINST PLAINTIFF. IN DOING SO, GRANNIS AND SMITH REQUESTED HAMPLION AND GUEDALIA TO APPEAR BEFORE GRAND JURIES TO GET INDICTMENTS WITHOUT JURISDICTION OVER ANY JUVENILES PURSUANT TO 6.5, 78-200 AND WITHOUT RECEIVING AN EVIDENCE REPORT AS REQUIRED BY G.S. 7B-307 TO SUPPORT AND/OR TRIGGER GRANMS AND SMITH TO REQUEST HAMILTON AND GUEDALIA to Appear Before GRAND JUNIES FOR INDICTMENTS, THEREFORE, GRANNIS, BUTLER, ZIMMERMAN, HAMILTON, GOODE-EATMON, AND NUNNARY PENNY, FRANKS, APPLEWHITZ, GUEDALIAN AND SMITH ALL KNEW THAT DSS DID NOT HANG JURISDICTION OVER ANY JUVENILES PURSUANT TO GS. 7B-200 AND THEY ALL KNEW THAT DSS DID NOT RECEIVE AN EVINGNEG EGRUNT AS REQUIRED BY 6,5,76-307 to SUPPONT AND/OR TRIGGER GRANNIS AND SMATH TO REQUEST HAMILTON AND GUEDAUA TO APPEAR BEFORE GRAND JUNIES FOR INDICHMENTS. THEREFORE, GRANNIS, BUTTER, ZIMMERENAN, HAMILTON, 6000%-EATMON, NUNNERY, PERRY, FRANKS, APPLEWHITE, BUEDAUA, AND SMITH'S KNOWING AND INTENTIONAL ACCEPTANCE OF HAMILTON, GUEDALIA, AND SMITHS FABRICATED INDICTMENTS OBCRS63533-46 WITHOUT JURISDICTION CUER MY JUVENILES PURSUANT TO 65.7B-200 AND WITHOUT RECEIVING AN EVIDENCE REPORT AS REQUIRED BY 65,73-307 to SUPPORT AND/OR TRIGGER GRANNIS AND SMITH TO REQUEST HAMILTON AND GUEDALIA TO APPEAR BEFORE GRAND
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JUNIES FOR INDICTMENTS CONSTITUTED GRANNS, BUTTER, ZIMMERMA, HAMILTON, GOODE-EASTMON, NUNNERT, PERRY, FRANKS; APPLEWHITE, GUEDALIA, AND SMITHS AGREGMENT TO CONSPINE AND SCHEME TO FABRICAGE EVIDENCE AGAINST PLAINTIFF.

- NEXT-

IN JUNE 2011, GRANNIS, BUTTER, ZIMMERNAN, HAMILTON, GODDE-FATMON, NUNNERY, PERRY, FRANKS, APPLEWHITE, GUEDALIA, AND SMITH PROCURED PERRY AND COX TO CONSPIRE AND SCHEME TO FABRICATE EVIDENCE AGAINST PLAINTIFF. IN DOING SO, COX AND PERRY CORRCED TESOMONY FROM PLAINT FFS LEGAL ADULT STEPDANGHTER AT PLAINTIPPS STATE CRIMINAL TRIAL IN ACCESSORY AFTER-THE-FACT TO (1) HER HISTORY OF PRIOR INCONSISTENT STATEMENTS AND CONTRADICTION BT OTHER EVIDENCE; (2) A FABRICATED DSS CASE DECISION; (3) A FABRICATED DSS ORAL REPORT TO GRANNIS AND BUTTER PURSUANT TO 65,78-307; (4) A FABRICATED DSS WRITTEN REPORT TO GRANNIS AND BUTLER PURIVANT TO GS, 73-307/(5) A FABRICATED DUMESTIC VIOLENCE ORDITLUF PROTECTION OBCUDESSE; (6) FABRICATED ARREST WARRANTS OCCRS 63535-46, AND (7) FABRICATED INDICTIVENTS OF CRS 63535-40 WITHOUT JUNISHICANN ONEN & JUNGHIK PURSUMNT tO GS. 7B-200 AND WITHOUT RECEIVING AN EVIDENCE REPORT AS REQUIRED BY GS, 7B-307. THEREFORE, GRANNIS, BUTLER, ZIMMEZMAN, HAMNTON, GOODE-EATMON, NUNNERY, PERRY, FRANKS APPLEWAITE, GUEDALIA, SMITH, AND COX ALL KNEW THAT DSS DID NOT HAVE JUZISPICTION OVER ANY JUVENILES PURSUANT TO G.S. 78-200 Case 5:09-ct-03063-FL Document 135-1 Filed 05/08/13 Page 14 of 21

AND THEY ALL KNEW THAT OSS DID NOT RECEIVE AN EVIDENCE REPORT
AS REQUIRED BY G.S. 7B-307 TO CORROBORAGE THE COERLED TESTIMONY
OF PLAINTIFFS LEGAL ADVIT STRPDAUGHTER, THEREFORE, GRANNIS,
BUTTER, ZIMMERMAN, HAMNTUN, GOUDE-EATMON, NUNNERY, PERRY, FRANKS,
APPLEWATE, GUEDALIA, SMITH, AND COX'S KNOWING AND INTENTIONAL
ACCEPTANCE OF PLAINTIFFS LEGAL ADVLT STEPDAVGHTRS COERCED
TESTIMONY AFTER-THE-FACT OF (1) HER HISTORY OF INCONSISTENT
STATEMENTS AND CONTRADICTION BY OTHER EVIDENCE; (2) A FABRICATED
DSS CASE DECISION; (3) A FABRICATED DSS ORAL REPORT TO GRANNIS
AND BUTLER PURSUANT TO 6.5, 78-307; (4) A FABRICATED DSS
WRITTSN REPORT TO GRAWNIS AND BUTTER PURSUANT TO 65.78-307; (5)
A FABRICATED DOMESTIC VIOLENCE ORDER OF PROTECTION OBCYD9358!
(6) FABRICATED ARREST WARRANTS UECRSG3535-46, AND (7) FABRICATED
INDICTMENTS OPERS63535-46 WITHOUT JURISDICTION OVER A JUVENILE
PURSUANT TO 65.7B-200 AND WITHOUT RECEIVING AN EVIDENCE REPORT
AS REQUIRED BY 6.5, 7B-307 CONSTITUTED GRANNIS, BUTTER, ZIMMER-
MAN, HAMILTUN, GOODE-EATMON, NUNVERY, PERRY, FRANKS, APPLENHIE,
GUEDAUA, SMITH, AND COX'S AGREEMENT TO CONSPIRE AND
SCHEME TO FABRICATE EVIDENCE AGAINST PLAINTIFF.

ARGUMENT

PROSECUTURS ARE ABSOLUTELY IMMUNE FOR ALL THEIR ACTIONS IN INITIATING A PROSECUTION AND PRESENTING THE STATES CASE,"

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IMBLER V. PACHTMAN, 424 U.S. 409, 431, 965 Ct 984 (1975). HOWEVER, PROSECUTURS ARE NOT ABSOLUTELY IMMUNE FOR ACTIONS NOT DIRECTLY RELATED TO PRESENTING CASES IN COURT. IN PLAINTIFFS CASE, PROSECUTURS' GRANNIS, SMITH AND COX STEPPED OUTSIDE OF THEIR PROSECUTORIAL ROLE, AND INTOTHE ROLE OF CRIMINALS, WHEN THEY CHAIN-COULSPIRED TO FABRICATE EVIDENCE AGAINST PLAINTIFF. BUCKLEY, V. FITZSIMMUNS, 509 U.S AT 268-69 (PROSECUTOR WAS NOT ABSOLUTELY IMMUNE FOR FABRICATING EVIDENCE DURING PRELIMINARY INVESTIGATION AND FOR PUBLIC STATEMENTS). THEREFORE, DEFENDANTS GRANNIS, SMITH AND COX ARE NOT ENTITLED TO ABSOLUTE IMMUNITY IN PLAINTIFFS CASE AND, THEREFORE, MUST BE GRANTED,

JUDGES ARE ABSOLUTELY IMMUNE FROM DANAGE AWARDS IN CIVIL RIGHTS CASES FOR ACTS TAKEN IN THEIR JUDICIAL CAPACITIES, STUMP VI SPARKMAN, 435 U.S., 349, 98 S. CT 1099 (1978). ONLY IF THE ACT IN "CLEAR ABSENCE OF ALL JURISDICTION" CAN THEY BE HELD LIABLE. BRADLEY V. FISHER BD U.S. (13 WALL) 335, 352 (1871) (PROBATE JUDGE WHO TRIED A CRIMINAL CASE WOULD ACT IN THE ABSENCE OF ALL JURISDICTION AND LOSE IMMUNITY). IN PLAINTIFFS CASE, JUDGE FRANKS WAS CLEARLY ABSENT OF ALL JURISDICTION WHEN HE ACTED TO FABRICATE EVIDENCE AGAINST PLAINTIFF BY FABRICATING SUBJECT MATTER— ALLEGING FICTITIOUS RAPE AND ASSAULT CRIMES — IN ORDER TO FABRICATE JURISDICTION. Case 5:09-ct-03063-FL DOCUMPNI 135-1 Filed 05/08/13 Page 16 of 21

JUDGE FRANKS MADE UP RAPE AND ASSAULT CRIMES IN ORDER to MAKE UP J UNISDICTION TO 155 VE EXPANTE DOMESTIC VIOLENCE URDER OF PROTECTION OBCYD8358. MORE SPECIFICALLY, IN CHAMBERS, CLERK OF COURT PERRY GAVE JUDGE FRANKS A PARTIALLY COMPLETED EXPARTE DOMESTIC VIOLENCE ORDER OF PROTECTION DOCUMENT. JUDGE FRANKS THEN KNOWINGLY AND INFINTIONALLY FILLED IN THE BLANKS - THE JUDGES FINDINGS - WITH FALSE INFURMATION THAT ON AVENST 14, 2008 PLAINTIFF COMMITTED IST DEGNER RAPE, IST DEGNEE SEXUAL OFFENSE, AND SEXUAL BASTERY AGAINST HIS AND PERRY'S TWO MINOR BIOLOGICAL DAUGHTERS AND PLAINTIFFS LEGAL AOVIT STEPDANGHTER FALSIFIED AS A MINOR. JUDGE FIZANKS THIS KNOWINGLY AND INTENTIONALLY GAVE THE EXPARTE DOMESTIC VIOLENCE UNDER OF PROTECTION BACK TO PERRY COMPLETED AND SIGNED AND INSTRUCTED HER TO FILE IT WITH THE CLERK OF COURT, PERRY THEN READS THE COMPLETED AND SIGNED EXPARTE DOCUMENT AND REALIZED THAT JUDGE FRANKS HAD FILLED IN FALSE INFORMATION. FRANKS THEN REALIZED THAT PERRY REALIZED THAT HE HAD FILLED IN FACSE INFORMATION, PERRY THEN REALIZED THAT JUDGE FRANKS THEN REALIZED THAT SHE REALIZED THAT HE HAD FILED IN FALSE INFORMATION, FRANKS AND PERRY THEN BOTH REALIZED THAT PEARY REALIZED THAT HE HAD FILLED IN FALSE INFORMATION. THEREFORE, FRANKS AND PERRY BOTH KNEW THAT EXPANTE UNDER 08 CVD9358 WAS FALSE WHEN PERRY FILED IT WITH THE CLERK OF COURT. THEREFORE, FRANKS AND PERRY'S KNOWNER AND INTENTIONAL ACCEPTANCE OF FABRY CARRO EXPARTS ORDER Case 5:09-ct-03063-FL DOCUMENT 135-1 Filed 05/08/13 Page 17 of 21

OCCUD8358 CONSTITUTED FRANKS AND PENNS AGREEMENT TO CONSPIRE AND SCHEME TO FABRICAR EVIDENCE AGAINST PLAINTIFF. JUDGE FRANKS ACTIONS TO CHAIN-CONSPIRE TO FABRICATE EXPANTE ONDER OBENDESSE IN ORDER TO FABRICAR SUBJECT MATTER IN ORDER COOD TO FABRICAGE JURISDICTION IS NOT A JUDICIAL ACT. 175 A CRIMINAL ACT AND A PERFECT EXAMPLE OF EXTREME BEHAVIOR, FOR EXAMPLES OF THE EXTREME BEHAVIOR REQUIRED BEFORE DAMAGES WILL BE AWARDED AGAINST A JUBGE, SEE HARPER V. MERCKLE, 638 F. 2 d 848, 851-52 (5+h CIR 1982) (FINDING THAT WHEN PLAINTIFF WENT TO JUDGES CHAMBERS FOR INFORMATION, JUNGE DEMANDED THAT HE BE SWOODN, CHASED HIM DOWN THE HALL, HAD HIM PURSUED AND ARRESTED, AND HELD IN CONTEMPT WITHOUT AN ATTURNEY); ZARCONE V. PERRY 572 F. 2d 52, 53 (200 Cir. 1978) (JUDGE HAD COFFEE VENDOR BROUGHT INTO CHAMBERS IN HANDCUFFS TO ABUSE HIM FOR THE LOW QUALITY OF HIS COFFEE). PLAINTIFFS CASE IS FAR MORE SEVERETHAN THE EXAMPLES OF EXTREME BEHAVIOR PROVIDER. JUDGE FRANKS MADE A COMPLETE DEPARTURE FROM THE JUDICIAL ROLE, AND INTO THE ROLE OF A CRIMINAL, WHEN HE KNOWINGLY AND INTENTIONALLY CHOIN-CONSPINSO WITH PERRY AND OTHER DEFENDANTS TO FABRICATE EVIDENCE AGAINST PLAINTIPP, ACCORDINGLY, JUDGE FRANKS AND CLERK PERRY ARE BOTH LIABLE IN PLAINTIFFS SVIT AND NOT ENTITIED TO JUDICIAL IMMUNITY AND QUASI-JUDICIAL IMMUNITY, RESPECTIVELY. THEREFORE, THESE TWO DEFENDANTS MUST BE GRANTED. IN ADDITION, AT THE TIME J UNGE FRANKS Case 5:09-ct-03063-FL Document 135-1 Filed 05/08/13 Page 18 of 21

158120 EXPANTE DOMESTIC VIOLENCE UNDER OF PROTECTION OBCVOE358, IT WAS IN THE PERFORMANCE OF A NON-JUDICIAL (I.P. EXECUTIVE OR ADMINISTRATIVE) FUNCTION FOR WHICH JUDGES ARE SNITTED TO ONLY QUALIFIED IMMUNITY, MORRISON V, LIPSCOMB, 877 F, 2d 463, 465-66 (6th Cir. 1989) (DRDER IMPOSING TWO-WEEK MORA-TORIUM ON CERTAIN WRITS DURING HOLIDAY; "ANYTIME AN ACTION TAKEN BY A JUDGE IS NOT A JUDICIAL ACT BETWEEN PARTIES, ITS LESS LIKELY THAT THE ACT IS A JUDICIAL DNE,") JUDGE FRANKS ACTIONS TO ISSUE AN EXPARTE (NON-ADVERSARY) ORDER ON BEHALF OF ONLY ONE PARTY, AND IN THE ABSENCE OF AND WITHOUT NOTICE TO PLAINTIFF IS THEREFORE NOT A JUDICIAL ACT BETWEEN PARTIES BUT INSTRAD AN ADMINISTRATIVE ACT. THEREFORE, JUDGE FRANKS IS NOT ENTITED TO JUDICIAL IMMUNITY AND CLERK PERRY IS THEREFORE NOT ENTITLED TO QUASI-JUDICIAL IMMUNITY. DEFENDANTS FRANKS AND PERRY WOULD THEN BE ENTITLED TO QUALIFIED IMMUNITY UNLESS TITES VIOLATE "CLEARLY ESTABLISHED STATUTORY OR CONSTITUTIONAL RIGHTS OF WHICH A REASONABLE PERSON WOULD HAVE KNOWN! HARLOW V. FITZGERALD, 457 U.S. 800, 817-18 102 S. C+ 2727 (1982). DEFENDANTS FRANKS AND PERRY UNDERSTOOD THAT THEIR ACTIONS TO CONSPIRE TO FABRICATE EVIDENCE AGAINST PLAIMTFF WAS ILLEGAL AND THEREFORE THEY DO NOT QUALIFY FOR QUALIFIED IMMUNITY. DEFENDANTS FRANKS AND PERRY MUST THEREFORE BE GRANTED.

CONCLUSION

DEFENDANTS
GRANNIS, SMITH, AND COX KNOWINGLY AND
INTENTIONALLY CHAIN CONSPINED WITH OTHER DEFENDANTS TO
FABRICATE EVIDENCE AGAINST PLAINTIFF AND THEREFORE THEY
DO NOT QUALIFY FOR PROSECUTURIAL IMMUNITY. THEREFORE,
PLAINTIFF RESPECTEVLY DEMAND THAT DEFENDANTS GRANNIS,
SMITH, AND COX BE ERANTED.

DEFENDANTS
FRANKS AND PERRY KNOWINGLY AND INTENTIONALLY
CHAIN CONSPIRED MITH OTHER DEFENDANTS TO FABRICATE
EXIPENCE ARAINST PLAINTFF AND THEREFORE THEY DO NOT:
QUALIFY FOR JUDICIAL IMMUNITY AND QUASI-JUDICAL
IMMUNITY, RESPECTIVELY, THEREFORE, PLAINTFF RESPECTEDLY
DEMAND THAT DEFENDANTS FRANKS AND PERRY BE GRANTED.

DEFENDANT APPLEWHITE KNOWINGLY AND INTENTIONALLY CHAIN CONSPIRED WITH OTHER DEFENDANTS TO FABRICATE EVIMENCE AGAINST PLAINTIFF AND THEREFORE DO NOT QUALIFY FOR JUDICIAN IMMUNITY, THEREFORE, A PLAINTIFF RESPECTFULLY DENAND THAT DEFENDANT APPLEWHITE BE GRANTED,

RESPECTENCY SUBMITTED

3 MAY 2013

CIUNATHAN E, BRUNSON

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NERIFICATION

1, JUNATHAN E. BRUNSON, HAVE READ THE FOREGOING MEMO OF LAW
IN OBJECTION TO ORDER OF THE NIS, MAGISTRAR JUDGE AND HEREBY
VERIFY THAT THE FACTS ALLEGED THEREIN ARE TRUE. I CERTIFY UNDER
PENALTY OF PERJUNY THAT THE FORE GOINGS IS THUE AND CORRECT.

EXECUTED AT ELIZABERT CITY, NO ON 3 MAY 2013.

HONDINAN & BRUNSCH
PLANNIPE

CERTIFICATE OF SERVICE

THIS IS TO CERTIFY THAT THE FOREGOING MEMO OF LAW IN OBJECTION TO THE CORDER OF THE USER JUDGE WAS DULY SERVED UPON THE FOLLOWING BY PLACING A COPY OF SAME IN THE UNITED STATES MAIL ADDRESSED AS FOLLOWS!

COUNTY ATTORNEY OFFICE OF SHEALPT'S LEGAL COUNSEL

P.O.BOX 1829

131 DICK STREET

FAYETTEVILLE, NC 28302 FAYETTEVILLE, NC 28301

THIS 3 LD DAY OF MAY, 2013.

JONESHEN & BLANZAH OTHSIEL

PLAINTIFF

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